

ORIGINAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

Fort Worth DIVISION

FILED

February 09, 2016

HONORABLE John McBryde, PRESIDING
DEPUTY CLERK: F. Arnold
LAW CLERK:

COURT REPORTER: Debbie Saenz
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INTERPRETER: CLERK, U.S. DISTRICT COURT

CR. No. 4:15-CR-185-A DEFT NO.01

UNITED STATES OF AMERICA

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§

BRIAN POE, AUSA

v.

AVAN NGUYEN
Defendant's Name

RICHARD ROPER, RETAINED
LU PHAM, RETAINED
Counsel for Deft. Appt-(A), Retd-(R), FPD-(F)

SENTENCING

Date Held: February 9, 2016 (Tuesday)

Hearing Type: ☐ Sentencing Hearing - Contested ☒ Sentencing Hearing - Non-Evidentiary

Time in Court: 1 hr. 30 mins.

Trial Status: ☐ Completed by Jury Verdict ☐ Continued from Previous Month ☐ Directed Verdict ☐ Evidence Entered
☐ Hung Jury ☐ Jury Selection Only, continued ☐ Jury Selection or Verdict Only (No Trial Before this Judge)
☐ Mistrial ☒ Settled/Guilty Plea ☐ None

Days in Trial: _____

Hearing Concluded: ☒ Yes ☐ No

☒ Sentencing held. ☐ Objections to PSI heard. ☐ Plea agreement accepted. ☐ Plea agreement NOT accepted.

SENTENCING TEXT:

- ☐ .. Deft. placed on: Probation for _____ months.
☒ .. Deft. committed to custody of the AG/BOP to be imprisoned for a TOTAL term of 36 months.
☒ .. Deft. placed on: Supervised Released for 1 year.
☒ .. Fine imposed in the amount of \$250,000.
☐ .. Count(s) _____ dismissed on government's motion.
☐ .. Order dismissing original Indictment/Information to be entered upon government's written motion.
☒ .. \$100.00 special assessment on Count(s) 1
of ☐ Complaint ☒ Information ☐ Indictment ☐ Superseding Indictment ☐ Superseding Information.

☐ Deft ordered to surrender to U.S. Marshal on _____.

☒ Deft ordered to surrender to the designated institution on **March 1, 2016 at or before 2:00 p.m.**

☐ Deft failed to appear, bench warrant to issue.

☒ Bond ☒ continued ☐ revoked.

☒ Deft Advised of his right to appeal.

☐ Deft requests Clerk to enter notice of Appeal.

☐ Deft Custody/Detention continued.

☐ Deft ORDERED into custody. ☐ Court recommends incarceration at _____.

☒ OTHER PROCEEDINGS/INFORMATION: Defendant ordered to determine from USM - Ft. Worth 2 days prior to 03/1/2016 the name and location of the designated institution.